

REMARKS

Summary Of The Office Action & Formalities

Status of Claims

Claims 1, 2 and 4-12 are all the claims pending in the application. By this Amendment, Applicant is amending claims 1, 11, and 12.¹ No new matter is added.

Art Rejections

Claims 1, 2 and 4-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Laauwe (US 3,990,640).

Pursuant to an agreement between the Examiner and the undersigned representative, Mr. Raja Saliba, Applicant is filing this Supplemental Amendment to have claim 1, as now amendment, reconsidered.

During an interview between the Examiner and Mr. Saliba on July 8, 2008, Applicant's representative proposed a further amendment to claim 1 to clarify the differences between the claimed subject matter and the structure disclosed in Laauwe. The Examiner stated that he believed such an amendment would place the claim in condition for allowance, subject to further review and consideration.

As explained in Applicant's previous response and again during the interview, it would not have been obvious to modify Laauwe to include the claimed oblique non-radial channel and, in fact, such a modification would have *destroyed the fluid-tight requirement of that structure*. That is, Laauwe teaches away from the modification, *regardless of the position of the closure*

¹ The amendments to claims 11 and 12 were presented in the last response and correct minor typographical errors.

element. To emphasize this difference, Applicant has further amended claim 1 to recite that the at least one non-radial channel, which extends obliquely, is void of structure for all positions of said obturator between the closed position of said spray orifice and the open position of said spray orifice. It is clear that this feature is simply not possible or desirable to have in the structure of Laauwe.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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